



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/083,211

10/19/2001

Kazuhiro Satoh

2271/66118

6244

7590

09/06/2006

RICHARD F. JAWORSKI  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, NY 10036

EXAMINER

MENBERU, BENIYAM

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 09/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/083,211	Applicant(s) SATO, KAZUHIRO	
	Examiner Beniyam Menberu	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1, 4-7 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 4-7, and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Response to Arguments***

1. Applicant's arguments filed June 13, 2006 have been fully considered but they are not persuasive. U.S. Patent No. 5387042 to Brown discloses the specifics of the production, construction, and design of the template used on the keyboard for different layouts which implies that there exists method for printing or reproducing the templates which reads on the "by using a plotter of said communication device". (column 4, lines 46-48; column 7, lines 5-9; column 10, lines 53-59; column 14, lines 48-64).

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5387042 to Brown.

Regarding claim 1, Brown discloses a communication device comprising :  
a keyboard used to input literal information, wherein a character allocated to each of one-touch dial keys provided on said keyboard can be changed and the character is allocated to each of said keys according to a one-touch-keyboard key-map table (column 8, lines 1-16, 29-45; column 12, lines 32-48, 65-68; column 13, lines 1-12);

Art Unit: 2625

a reading unit reading a one-touch-keyboard key-map table corresponding to a user selection from among a plurality of one-touch-keyboard key-map tables each storing a distinctly separate correspondence relation between key codes and character codes for a character arrangement (column 12, lines 65-68; column 13, lines 1-12); and

a recording/outputting unit creating image data to be recorded on a label based on the read one-touch-keyboard key-map table, recording an image corresponding to the created image data on the label, and outputting the label on which the image is recorded, so that the label is applied to a one-touch dial keyboard portion of said keyboard (Figure 6; column 10, lines 1-22, 53-68; column 14, lines 1-25).

Regarding claim 7, Brown discloses a communication device comprising:

a numeric keypad used to input numeric information, wherein a character allocated to each of keys provided on said numeric keypad can be changed, and the character is allocated to each of said keys according to a numeric-keypad key-map table (column 6, lines 46-56; column 7, lines 20-35; column 8, lines 1-16, 29-45; column 12, lines 32-48, 65-68; column 13, lines 1-12);

a reading unit reading a numeric-keypad key-map table corresponding to a user selection from among a plurality of numeric-keypad key-map tables each storing a distinctly separate correspondence relation between key codes and character codes for a numeric-keypad arrangement (column 12, lines 65-68; column 13, lines 1-12); and

a recording/outputting unit creating image data to be recorded on a label based on the read numeric-keypad key-map table, recording an image corresponding to the created image data on the label, and outputting the label on which the image is recorded so that

the label is applied to the numeric keypad (column 10, lines 1-22, 53-68; column 14, lines 1-25).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent Application No. US 2002/0174231 A1 to Surloff et al.

Regarding claim 4, Brown teaches all the limitations of claim 1. However Brown does not disclose the communication device as claimed in claim 1, wherein configuration information regarding a configuration of the communication device is obtained so that said predetermined keyboard character layout is selected according to said configuration information.

Surloff et al disclose the communication device (page 1, paragraph 18) as claimed in claim 1, wherein configuration information regarding a configuration of the communication device is obtained so that said predetermined keyboard character layout is selected according to said configuration information (page 7, paragraph 74).

Brown and Surloff et al are combinable because they are in the similar problem area of device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard layout selection of Surloff et al with the keyboard system of Brown to implement configuration depending keyboard layout.

The motivation to combine the reference is clear because Surloff et al teaches that Internet access can be simplified with the configurable keyboard (page 7, paragraph 74, lines 1-7).

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 5523754 to Eisen et al.

Regarding claim 5, Brown teaches all the limitations of claim 1. However Brown does not disclose the communication device as claimed in claim 1, wherein situation information regarding a nation where the communication device is situated is obtained so that said predetermined keyboard character layout is selected according to said situation information.

Eisen et al discloses the communication device (column 2, lines 45-55) wherein situation information regarding a nation where the communication device is situated is obtained so that said predetermined keyboard character layout is selected according to said situation information (column 4, lines 9-20).

Brown and Eisen et al are combinable because they are in the similar problem area of communication device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard configuration of Eisen et al with the system of

Brown to implement keyboard configuration with respect to the nation where the communication device is located.

The motivation to combine the reference is clear because Eisen et al teaches that a multi-lingual keyboard is needed because of the different languages spoken in countries (column 1, lines 15-27).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent Application No. US 2002/0174231 A1 to Surloff et al further in view of U.S. Patent No. 5523754 to Eisen et al.

Regarding claim 6, Brown teaches all the limitations of claim 1. However Brown does not disclose the communication device as claimed in claim 1, wherein configuration information regarding a configuration of the communication device is obtained, and situation information regarding a nation where the communication device is situated is obtained, so that said predetermined keyboard character layout is selected according to at least one of said configuration information and said situation information.

Surloff et al disclose communication device wherein configuration information regarding a configuration of the communication device is obtained (Figure 7, reference step 222; page 4, paragraph 45, lines 4-6; page 7, paragraph 74, lines 7-13).

Eisen et al disclose communication device wherein situation information regarding a nation where the communication device is situated is obtained, so that said predetermined keyboard character layout is selected according to at least one of said configuration information and said situation information (column 4, lines 9-20).

Brown, Surloff et al, and Eisen et al are combinable because they are in the similar problem area of device with keyboard input.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard configuration of Surloff et al and Eisen et al with the system of Brown to implement keyboard layout depending on the system configuration and nation where the communication device is situated.

The motivation to combine the reference is clear because Eisen et al teaches that a multi-lingual keyboard is needed because of the different languages spoken in countries (column 1, lines 15-27) and Surloff et al teaches that Internet access can be simplified with the configurable keyboard (page 7, paragraph 74, lines 1-7).

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5387042 to Brown in view of U.S. Patent No. 4202041 to Kaplow et al.

Regarding claim 10, Brown teaches all the limitations of claim 1. However Brown does not disclose the communication device of claim 1, wherein the correspondence relation between key code and character code for a selected key can be changed according to preference.

Kaplow et al disclose wherein the correspondence relation between key code and character code for a selected key can be changed according to preference (column 14, lines 21-29; column 18, lines 58-67; column 19, lines 1-10).

Brown and Kaplow et al are combinable because they are in the similar problem area of device with keyboard input.



At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the keyboard configuration of Kaplow et al with the system of Brown to implement specific key configuration.

The motivation to combine the reference is clear because Eisen et al teaches that a multi-lingual keyboard is needed because it provides users with convenience use of the keys on a keyboard.

#### ***Other Prior Art Cited***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application Publication Pub. No. US 2002/0061217 A1 to Hillman et al disclose keyboard device.

U.S. Patent No. 4899137 to Behrens et al disclose device for processing of character and graphic data.

U.S. Patent No. 5943655 to Jacobson discloses machine with keyboard and display.

#### ***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

Art Unit: 2625

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beniyam Menberu whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

Art Unit: 2625

applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov/>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

***Patent Examiner***

Beniyam Menberu

BM

09/02/2006

A handwritten signature in black ink, appearing to read "KAWilliams".

**KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER**